

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

FAIR ISAAC CORPORATION, a) Case No. 16-cv-1054 (WMW/DTS)
Delaware corporation,)
)
Plaintiff,)
) **Jury Trial Demanded**
v.)
)
FEDERAL INSURANCE COMPANY,)
an Indiana corporation and ACE)
AMERICAN INSURANCE COMPANY,)
a Pennsylvania corporation,)
)
Defendants.)
)

**DECLARATION OF HEATHER KLIEBENSTEIN IN SUPPORT OF PLAINTIFF
FAIR ISAAC CORPORATION'S OPPOSITION TO DEFENDANTS' MOTION
TO EXCLUDE EXPERT REPORT AND TESTIMONY OF NEIL ZOLTOWSKI**

I, Heather Kliebenstein, declare as follows:

1. I am a shareholder with Merchant & Gould P.C., and I am one of the attorneys of record for Plaintiff Fair Isaac Corporation in the above captioned matter.

2. I make this Declaration on my own information, knowledge, and belief in support of Plaintiff's Fair Isaac Corporation's Opposition to Defendants' Motion to Exclude Expert Report and Testimony of Neil Zoltowski.

3. Attached hereto as Exhibit 1 is a true and correct copy of an excerpt of the transcript of the April 2, 2019 30(b)(6) deposition of Fair Isaac Corporation given by William Waid. This document is filed UNDER SEAL.

4. Attached hereto as Exhibit 2 is a true and correct copy of the March 1, 2016 email from Bill Waid to Mike Sawyer attaching FICO's pricing matrix, produced as Bates numbered document FICO0000828-830. This document is filed UNDER SEAL.

5. Attached hereto as Exhibit 3 is a true and correct copy of Federal Insurance Company's Blaze Advisor usage and sizing chart, produced as Bates numbered document FED017914. This document is filed UNDER SEAL.

6. Attached hereto as Exhibit 4 is a true and correct copy of an excerpt of the transcript of the January 16, 2019 30(b)(6) deposition of Fair Isaac Corporation given by William Waid. This document is filed UNDER SEAL.

7. Attached hereto as Exhibit 5 is a true and correct copy of Federal Insurance Company's Seventh Supplemental Answer to Plaintiff's Interrogatory No. 17, dated July 16, 2019. This document is filed UNDER SEAL.

8. Attached hereto as Exhibit 6 is a true and correct copy of Federal Insurance Company's Sixth Supplemental Answer to Plaintiff's Interrogatory No. 18, dated March 21, 2019. This document is filed UNDER SEAL.

9. Attached hereto as Exhibit 7 is a true and correct copy of Federal Insurance Company's Fifth Supplemental Answer to Plaintiff's Interrogatory No. 19, dated March 2, 2019. This document is filed UNDER SEAL.

10. Attached hereto as Exhibit 8 is a true and correct copy of Federal Insurance Company's Fifth Supplemental Answer to Plaintiff's Interrogatory No. 20, dated March 21, 2019. This document is filed UNDER SEAL.

11. Attached hereto as Exhibit 9 is a true and correct copy of an excerpt of the transcript of the June 14, 2019 deposition of Neil J. Zoltowski. This document is filed UNDER SEAL.

I declare under the penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: August 26, 2019

/s/ Heather Kliebenstein
Heather Kliebenstein